

**Environmental Assessment
Determinations and Compliance Findings
for HUD-assisted Projects
24 CFR Part 58**

Project Information

Project Name: 6th-and-Grove-Development

HEROS Number: 900000010110524

Responsible Entity (RE): BOISE, PO Box 500 Boise ID, 83701

RE Preparer: Tyler Schade

State / Local Identifier:

Certifying Officer: Addison Coffelt

Grant Recipient (if different than Responsible Entity):

Point of Contact:

Consultant (if applicable): JUB Engingeer, Inc.

Point of Contact: Tyler Schade

Project Location: 116 S 6th St, Boise, ID 83702

Additional Location Information:

The project site is on parcel# R1013000451

Direct Comments to:

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

The project is a 38,880 square foot, five-story building with mixed land uses on approximately 0.27 acres. It occurs on the 0.42-acre parcel #R1013000451, and is located at 116 S. 6th Street, Boise, Idaho. The site is bounded by W. Grove Street to the southwest, S. 6th Street to the northwest, S. 5th Street to the southeast, and an alley to the northeast. All public utilities have been extended to the site. The site is zoned as C-5DD, central business, by the City of Boise; as such, a broad range of commercial uses are allowed. The first two floors (7,000 square feet) will consist of a mix of retail and professional office space. The top three floors (31,880 square feet) will consist of 45 units (28,750 square feet) of affordable housing and five units of market units (3,130 square feet). Asphalt-paved areas for parking and driving, concrete curbs and walkways, and perimeter landscaping will also be developed for the project. The land was previously privately owned and operated as a paved surface parking lot and is level and at street grade. One sponsor, Moonlake Consulting, has since purchased the property. The project is a smart growth design utilizing less than half an acre to construct 50-units of housing. The units and common areas will be thoughtfully arranged in a corridor-loaded, three-story configuration. All units contain electric ranges with self-cleaning ovens, refrigerators, dishwashers, disposals and microwave ovens. The units will feature use of low or no VOC (volatile organic compounds) paints, primers, adhesives, and sealants (green label certified), Energy Star-rated refrigerators, water heaters, dishwashers, and windows, R-49 value insulation, SCS FloorScore-certified hard surface flooring, and lighting with high-efficiency bulbs. On-site amenities include, but are not limited to a community gathering room, exercise facility and computer lab. The unit mix includes studio units (22), 1BR/1BA units (16), 2BR/1BA units (7) and 3BR/2A units (5) serving low income residents. The property will have three units set at the 30% area median income (AMI), two units set at the 40% AMI, three units set at the 45% AMI, nine units set at the 50% AMI, 18 units set at 55% AMI, 10 units set at the 60% AMI and five unrestricted market units. The quality of the units will compete with all LIHTC and Market apartment options currently available in Boise and Ada County.

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:

The proposed project will provide affordable multi-family housing in downtown Boise, Idaho. High unmet demand, low capture ratio, very low vacancy, a predominance of waiting lists, increasing rental rates, and achieved rents at the maximum AMI rent restriction levels are present throughout the primary market area. Affordable housing is needed in the area to partially meet unmet demand for affordable units.

Existing Conditions and Trends [24 CFR 58.40(a)]:

The 0.27-acre project is located in downtown Boise, Idaho at 116 S. 6th Street on 0.42 acres of privately owned previously developed land. The site has been commercially used as a paved parking lot. Rapid economic developments in downtown Boise mean affordable housing is greatly needed. The surrounding area includes parking lots, commercial development, recreational facilities, and community sites. In the absence of the project, the site would likely remain as a parking lot. The project is located within the River Street-Myrtle Street Urban Renewal District in desirable downtown Boise.

Maps, photographs, and other documentation of project location and description:

Determination:

✓	Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.13] The project will not result in a significant impact on the quality of human environment
	Finding of Significant Impact

Approval Documents:

7015.15 certified by Certifying Officer on:

7015.16 certified by Authorizing Officer on:

Funding Information

Grant / Project Identification Number	HUD Program	Program Name
1175	Community Planning and Development (CPD)	HOME Program

Estimated Total HUD Funded, Assisted or Insured Amount: \$1,500,000.00

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$12,835,100.00

Compliance with 24 CFR §50.4, §58.5 and §58.6 Laws and Authorities

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6		
Airport Hazards Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements.

<p>Coastal Barrier Resources Act Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project is located in a state that does not contain CBRS units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.</p>
<p>Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements.</p>
<p>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5</p>		
<p>Air Quality Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The project's county or air quality management district is in attainment status for all criteria pollutants. The project is in compliance with the Clean Air Act.</p>
<p>Coastal Zone Management Act Coastal Zone Management Act, sections 307(c) & (d)</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project is located in a state that does not participate in the Coastal Zone Management Program. Therefore, this project is in compliance with the Coastal Zone Management Act.</p>
<p>Contamination and Toxic Substances 24 CFR 50.3(i) & 58.5(i)(2)]</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Site contamination was evaluated as follows: ASTM Phase I ESA. On-site or nearby toxic, hazardous, or radioactive substances were found that could affect the health and safety of project occupants or conflict with the intended use of the property. The adverse environmental impacts can be mitigated. With mitigation, identified in the mitigation section of this review, the project will be in compliance with contamination and toxic substances requirements. Further analysis indicates that these are most likely from a former home site that will be mitigated through a soils management and Inadvertent Discovery Plan.</p>
<p>Endangered Species Act Endangered Species Act of 1973,</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project has been determined to have No Effect on listed species. This</p>

particularly section 7; 50 CFR Part 402		project is in compliance with the Endangered Species Act without mitigation.
Explosive and Flammable Hazards Above-Ground Tanks)[24 CFR Part 51 Subpart C	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	There are no known current or planned stationary aboveground storage containers of concern within 1 mile of the project site. The project is in compliance with explosive and flammable hazard requirements.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project does not occur in a floodplain. The project is in compliance with Executive Order 11988.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Based on Section 106 consultation the project will have an Adverse Effect on historic properties. With mitigation, the project will be in compliance with Section 106. Satisfactory implementation of the mitigation should be monitored.
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	A Noise Assessment was conducted. The noise level was acceptable: 60.0 db. See noise analysis. The project is in compliance with HUD's Noise regulation.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990.
Wild and Scenic Rivers Act Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act.
HUD HOUSING ENVIRONMENTAL STANDARDS		
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Adverse environmental impacts are not disproportionately high for low-income

		and/or minority communities. The project is in compliance with Executive Order 12898.
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Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27]

Impact Codes: An impact code from the following list has been used to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement.

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	Zoning is C-5, which allows multi-use, multi-family development. The Comprehensive Plan Land Use designation site is for Mixed Use. The Mixed Use designation supports Multi-Family residential. See letter for zoning approval. Surrounding sites are commercial and also includes the Basque Block to the west. Downtown Boise has a number of buildings that have commercial facilities on the 1st floor and residential above. The project will also be subject to Design Review approval requirements for the Downtown Design Review District.	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	2	The site is relatively flat. No apparent slope concerns or problems are present. No erosion problems are anticipated. Soil meets standards for residential use per design plans and Phase I ESA.	
Hazards and Nuisances including Site Safety and Site-Generated Noise	3	The Phase I ESA indicated that an underground heating oil tank was historically used at the site and no records indicate that the tank was removed. The Phase I ESA recommended a subsurface investigation be completed to determine if the oil tank is present. A ground penetrating radar survey was completed, but it found no conclusive evidence of oil tank presence. However, the survey did identify two anomalies that could represent presence of an oil tank or a void where a fuel tank was removed.	Prior to construction, the two anomaly areas will be excavated and tested for contaminants. If contaminants are present, mitigation and/or cleanup measures will be implemented under guidance with Idaho DEQ. Best management practices will also be implemented for construction/demolition workers regarding soil contamination, if present.
Energy Consumption/Energy Efficiency	2	Project is a retail/office-apartment complex. Project is not large enough to cause	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
		energy consumption problems.	
SOCIOECONOMIC			
Employment and Income Patterns	1	Project is new construction and requires the employment of skilled labor and professionals. Laborers and contractors may be subject to Davis-Bacon wages.	
Demographic Character Changes / Displacement	1	Project meets a need for affordable housing in area. Project is new construction. No displacement will occur. However with rapid development improvements downtown, if affordable housing is not created, gentrification is likely. The existing parking lot will be removed, but the current owner of the parking lot has indicated plans to construct another parking lot.	
COMMUNITY FACILITIES AND SERVICES			
Educational and Cultural Facilities (Access and Capacity)	3	Project is close to the College of Western Idaho Boise Campus and an elementary school which are at or over capacity. All school districts in Boise are at capacity; most of the school districts bring in modular	If any project personnel believes a cultural resource has been uncovered at any point during construction activities, all work adjacent to the discovery must stop. The discovery location should be secured at all times. Artifacts discovered shall be preserved. If human remains are

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
		<p>buildings to accommodate extra students. The house of the first mayor of Boise was originally located at this site, but was relocated in 1971. Artifacts could potentially occur at the site during ground disturbance activities. Potential minor adverse effects could occur.</p>	<p>encountered, they shall be carefully covered with a tarp or other like material for temporary protection. If there is an archaeological monitor for the project, immediately notify that person. If there is a monitoring plan in place, the monitor will follow its provisions. The project manager and/or cultural resources manager shall be contacted immediately. If these managers cannot be reached, contact the cultural resource specialist for the project. The project will comply with the MOU developed with SHPO.</p>
Commercial Facilities (Access and Proximity)	2	Project is not large enough to pose an adverse impact.	
Health Care / Social Services (Access and Capacity)	2	Project is not large enough to pose an adverse impact.	
Solid Waste Disposal and Recycling (Feasibility and Capacity)	2	Project is not large enough to pose an adverse impact. Public services will be utilized.	
Waste Water and Sanitary Sewers (Feasibility and Capacity)	2	Project is not large enough to pose an adverse impact. Public services will be utilized.	
Water Supply (Feasibility and Capacity)	2	Project is not large enough to pose an adverse impact. Public services will be utilized.	
Public Safety - Police, Fire and Emergency Medical	2	Project is not large enough to pose an adverse impact.	
Parks, Open Space and Recreation (Access and Capacity)	2	Project is not large enough to pose an adverse impact.	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
Transportation and Accessibility (Access and Capacity)	2	Public transportation is readily available without adverse impact.	
NATURAL FEATURES			
Unique Natural Features /Water Resources	2	Site does not have unique natural features or water features. Land was converted to a parking lot over 25 years ago.	
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)	2	Project site is surrounded by development. No significant vegetation or wildlife exists on the site.	
Other Factors	3	SHPO found that the site is that of the first mayor of Boise's adobe. This property was located to Julia Davis Park in the 70's. As such, they have requested that any artifacts found must be preserved.	Inadvertent Discovery Plan and MOA for preservation of Artifacts.

Supporting documentation

[Inadvertent Discovery Plan \(IDP\).pdf](#)

[MOA SHPO DRAFT FINAL\(1\).docx](#)

Additional Studies Performed:

Phase I Environmental Site Assessment Report prepared by Materials Testing & Inspection (May 6, 2019). GPR Inspection Report prepared by Materials Testing & Inspection (September 15, 2019). Market Study prepared by Valbridge Property Advisors (August 2, 2019). (Phase I ESA and GPR report uploaded in toxic section.)

Field Inspection [Optional]: Date and completed by:

List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:

Idaho State Historic Preservation Office, Environmental Protection Agency, U.S. Fish and Wildlife Service, Idaho Transportation Department, Idaho Department of Environmental Quality, HUD, TerraGraphics, COMPASS, ACHD, Boise School District, City of Boise, Valbridge Property Advisors, Idaho Power, Federal Emergency Management Agency (FEMA), U.S. Geological Service, U.S. Department of Agriculture, Natural Resource Conservation Service.

List of Permits Obtained:

Memorandum of Understanding (MOA) with SHPO.

Public Outreach [24 CFR 58.43]:

Cumulative Impact Analysis [24 CFR 58.32]:

The site will be improved by the project and contributes to improving economic stability in the area. There is a strong need for affordable housing in the downtown area, which is becoming increasingly difficult to provide as there is limited space and cost is so high. As a result of environmental regulations from the funding involved, public safety will be ensured, which may not have been otherwise.

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]

The Environmental Review file contains an Alternative Site Analysis, which describes why this location and design was preferred.

No Action Alternative [24 CFR 58.40(e)]

The site is a suitable area for the project. It is affordable, close to amenities, and there is a need for affordable housing, as shown by a high unmet demand and a low capture ratio. As indicated in the Market Study, there is currently strong demand for low to moderate income units in the subject market area, as shown by very low vacancy, a predominance of waiting lists, and achieved rents at the maximum AMI rent restriction levels, which have been consistently reported by property managers throughout the primary market area. The downtown Boise area is rapidly being developed. Without this project, a need for affordable housing would not be met and the result would likely increase gentrification.

Summary of Findings and Conclusions:

Beneficial impacts of the project include requiring employment of skilled labor and professionals and meeting a need for affordable housing in the area. The Phase I ESA indicated that an underground heating oil tank was historically used at the site and no records indicate that the tank was removed. A ground penetrating radar survey was completed, but it found no conclusive evidence of oil tank presence or absence. However, two anomalies were identified on site near the ground surface. Accordingly, the possibility of contaminated soil is present. Mitigation would include that prior to construction, the two anomaly areas be excavated and tested for contaminants. If contaminants are present, mitigation and/or cleanup measures would be implemented under guidance with Idaho DEQ. Best management practices would also be implemented for construction/demolition workers regarding soil contamination, if present. Although no structures eligible for National Register of Historic Places occur on the site, the house (listed on National Register) of the first mayor of Boise was originally located at this site before it was relocated in 1971. Artifacts could potentially occur at the site during ground disturbance activities. If project personnel, contractor or subcontractor believes that a cultural resource has been uncovered at any point in the project, all work adjacent to the discovery must stop. The discovery location should be secured at all times. Artifacts discovered shall be preserved. If human remains are encountered, they shall be carefully covered with a tarp or other like material for temporary protection in place. If there is an archaeological monitor for the project, immediately notify that person. If there is a monitoring plan in place, the monitor will follow its provisions. The project manager and/or cultural resources manager shall be contacted immediately. If these managers cannot be reached, contact the cultural resource specialist for the project. The project will comply with recommendations/measures in the MOU with SHPO.

Mitigation Measures and Conditions [CFR 1505.2(c)]:

Summarized below are all mitigation measures adopted by the Responsible Entity to reduce, avoid or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Complete
Historic Preservation	If any project personnel believes that a cultural resource has been uncovered at any point in the project, all work adjacent to the discovery must stop. The discovery location should be	N/A	

	<p>secured at all times. Artifacts discovered shall be preserved. If human remains are encountered, they shall be carefully covered with a tarp or other like material for temporary protection. If there is an archaeological monitor for the project, immediately notify that person. If there is a monitoring plan in place, the monitor will follow its provisions. The project manager and/or cultural resources manager shall be contacted immediately. If these managers cannot be reached, contact the cultural resource specialist for the project.</p> <p>The project will comply with the MOU developed in concert with SHPO.</p>		
Contamination and Toxic Substances	<p>Subsurface investigation shall be conducted prior to the start of construction to identify potential oil tank/contamination in identified "anomaly" areas.</p>	N/A	
Hazards and Nuisances including Site Safety and Site-Generated Noise	<p>Prior to construction, the two anomaly areas will be excavated and tested for contaminants. If contaminants are present, mitigation and/or cleanup measures will be implemented under guidance with Idaho DEQ. Best management practices will also be implemented for construction/demolition workers regarding soil contamination, if present.</p>	N/A	
Educational and Cultural Facilities (Access and Capacity)	<p>If any project personnel believes a cultural resource has been uncovered at any point during construction activities, all work adjacent to the discovery must stop. The discovery location should be secured at all times. Artifacts discovered shall be preserved. If human remains are encountered, they shall be carefully covered with a tarp or other like material for temporary protection. If there is an archaeological monitor for the project, immediately notify that</p>	N/A	

	person. If there is a monitoring plan in place, the monitor will follow its provisions. The project manager and/or cultural resources manager shall be contacted immediately. If these managers cannot be reached, contact the cultural resource specialist for the project. The project will comply with the MOU developed with SHPO.		
Other Factors	Inadvertent Discovery Plan and MOA for preservation of Artifacts.	N/A	
Permits, reviews and approvals	Memorandum of Understanding (MOA) with SHPO.	N/A	

Mitigation Plan

Project mitigation (i.e., subsurface investigation and adherence to SHPO requests/MOA) shall be completed by the contractor prior to or during construction depending on conditions and findings.

Supporting documentation on completed measures

APPENDIX A: Related Federal Laws and Authorities

Airport Hazards

General policy	Legislation	Regulation
It is HUD's policy to apply standards to prevent incompatible development around civil airports and military airfields.		24 CFR Part 51 Subpart D

1. To ensure compatible land use development, you must determine your site's proximity to civil and military airports. Is your project within 15,000 feet of a military airport or 2,500 feet of a civilian airport?

No

Based on the response, the review is in compliance with this section. Document and upload the map showing that the site is not within the applicable distances to a military or civilian airport below

Yes

Screen Summary

Compliance Determination

The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements.

Supporting documentation

[Airport proximity.jpg](#)

Are formal compliance steps or mitigation required?

Yes

No

Coastal Barrier Resources

General requirements	Legislation	Regulation
HUD financial assistance may not be used for most activities in units of the Coastal Barrier Resources System (CBRS). See 16 USC 3504 for limitations on federal expenditures affecting the CBRS.	Coastal Barrier Resources Act (CBRA) of 1982, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501)	

This project is located in a state that does not contain CBRA units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.

Compliance Determination

This project is located in a state that does not contain CBRS units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.

Supporting documentation

[CBRS.jpg](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Flood Insurance

General requirements	Legislation	Regulation
Certain types of federal financial assistance may not be used in floodplains unless the community participates in National Flood Insurance Program and flood insurance is both obtained and maintained.	Flood Disaster Protection Act of 1973 as amended (42 USC 4001-4128)	24 CFR 50.4(b)(1) and 24 CFR 58.6(a) and (b); 24 CFR 55.1(b).

1. Does this project involve financial assistance for construction, rehabilitation, or acquisition of a mobile home, building, or insurable personal property?

No. This project does not require flood insurance or is excepted from flood insurance.

Yes

2. Upload a FEMA/FIRM map showing the site here:

[FIRMETTE_6c09262e-0bb0-11ea-9edb-0050569ce01d.pdf](#)
[FEMA floodzones.jpg](#)

The Federal Emergency Management Agency (FEMA) designates floodplains. The [FEMA Map Service Center](#) provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). For projects in areas not mapped by FEMA, use the best available information to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site. Provide FEMA/FIRM floodplain zone designation, panel number, and date within your documentation.

Is the structure, part of the structure, or insurable property located in a FEMA-designated Special Flood Hazard Area?

No

Based on the response, the review is in compliance with this section.

Yes

Screen Summary **Compliance Determination**

The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No

Air Quality

General requirements	Legislation	Regulation
The Clean Air Act is administered by the U.S. Environmental Protection Agency (EPA), which sets national standards on ambient pollutants. In addition, the Clean Air Act is administered by States, which must develop State Implementation Plans (SIPs) to regulate their state air quality. Projects funded by HUD must demonstrate that they conform to the appropriate SIP.	Clean Air Act (42 USC 7401 et seq.) as amended particularly Section 176(c) and (d) (42 USC 7506(c) and (d))	40 CFR Parts 6, 51 and 93

1. Does your project include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units?

Yes

No

Air Quality Attainment Status of Project's County or Air Quality Management District

2. Is your project's air quality management district or county in non-attainment or maintenance status for any criteria pollutants?

No, project's county or air quality management district is in attainment status for all criteria pollutants.

Yes, project's management district or county is in non-attainment or maintenance status for the following criteria pollutants (check all that apply):

4. Determine the estimated emissions levels of your project. Will your project exceed any of the de minimis or threshold emissions levels of non-attainment and maintenance level pollutants or exceed the screening levels established by the state or air quality management district?

No, the project will not exceed *de minimis* or threshold emissions levels or screening levels.

Yes, the project exceeds *de minimis* emissions levels or screening levels.

Screen Summary

Compliance Determination

The project's county or air quality management district is in attainment status for all criteria pollutants. The project is in compliance with the Clean Air Act.

Supporting documentation

[Air quality.jpg](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Coastal Zone Management Act

General requirements	Legislation	Regulation
Federal assistance to applicant agencies for activities affecting any coastal use or resource is granted only when such activities are consistent with federally approved State Coastal Zone Management Act Plans.	Coastal Zone Management Act (16 USC 1451-1464), particularly section 307(c) and (d) (16 USC 1456(c) and (d))	15 CFR Part 930

This project is located in a state that does not participate in the Coastal Zone Management Program. Therefore, this project is in compliance with the Coastal Zone Management Act.

Screen Summary

Compliance Determination

This project is located in a state that does not participate in the Coastal Zone Management Program. Therefore, this project is in compliance with the Coastal Zone Management Act.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No

Contamination and Toxic Substances

General requirements	Legislation	Regulations
It is HUD policy that all properties that are being proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of the occupants or conflict with the intended utilization of the property.		24 CFR 58.5(i)(2) 24 CFR 50.3(i)

1. How was site contamination evaluated? Select all that apply. Document and upload documentation and reports and evaluation explanation of site contamination below.

- American Society for Testing and Materials (ASTM) Phase I Environmental Site Assessment (ESA)
- ASTM Phase II ESA
- Remediation or clean-up plan
- ASTM Vapor Encroachment Screening
- None of the Above

2. Were any on-site or nearby toxic, hazardous, or radioactive substances found that could affect the health and safety of project occupants or conflict with the intended use of the property? (Were any recognized environmental conditions or RECs identified in a Phase I ESA and confirmed in a Phase II ESA?)

No

- Yes

3. Mitigation

Document and upload the mitigation needed according to the requirements of the appropriate federal, state, tribal, or local oversight agency. If the adverse environmental effects cannot be mitigated, then HUD assistance may not be used for the project at this site.

Can adverse environmental impacts be mitigated?

Adverse environmental impacts cannot feasibly be mitigated.

- ✓ Yes, adverse environmental impacts can be eliminated through mitigation.
Document and upload all mitigation requirements below.

4. Describe how compliance was achieved in the text box below. Include any of the following that apply: State Voluntary Clean-up Program, a No Further Action letter, use of engineering controls, or use of institutional controls.

Subsurface investigation shall be conducted prior to the start of construction to identify potential oil tank/contamination in identified "anomaly" areas.

If a remediation plan or clean-up program was necessary, which standard does it follow?

Complete removal

Risk-based corrective action (RBCA)

Screen Summary

Compliance Determination

Site contamination was evaluated as follows: ASTM Phase I ESA. On-site or nearby toxic, hazardous, or radioactive substances were found that could affect the health and safety of project occupants or conflict with the intended use of the property. The adverse environmental impacts can be mitigated. With mitigation, identified in the mitigation section of this review, the project will be in compliance with contamination and toxic substances requirements. Further analysis indicates that these are most likely from a former home site that will be mitigated through a soils management and Inadvertent Discovery Plan.

Supporting documentation

[MTI GPR Report Utility 116 S 6th.pdf](#)
[6th and Grove Phase 1 ESA.pdf](#)

Are formal compliance steps or mitigation required?

- ✓ Yes

No

Endangered Species

General requirements	ESA Legislation	Regulations
Section 7 of the Endangered Species Act (ESA) mandates that federal agencies ensure that actions that they authorize, fund, or carry out shall not jeopardize the continued existence of federally listed plants and animals or result in the adverse modification or destruction of designated critical habitat. Where their actions may affect resources protected by the ESA, agencies must consult with the Fish and Wildlife Service and/or the National Marine Fisheries Service (“FWS” and “NMFS” or “the Services”).	The Endangered Species Act of 1973 (16 U.S.C. 1531 <i>et seq.</i>); particularly section 7 (16 USC 1536).	50 CFR Part 402

1. Does the project involve any activities that have the potential to affect species or habitats?

No, the project will have No Effect due to the nature of the activities involved in the project.

No, the project will have No Effect based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office

- ✓ Yes, the activities involved in the project have the potential to affect species and/or habitats.

2. Are federally listed species or designated critical habitats present in the action area?

No, the project will have No Effect due to the absence of federally listed species and designated critical habitat

- ✓ Yes, there are federally listed species or designated critical habitats present in the action area.

3. What effects, if any, will your project have on federally listed species or designated critical habitat?

- ✓ No Effect: Based on the specifics of both the project and any federally listed species in the action area, you have determined that the project will have absolutely no effect on listed species or critical habitat. in the action area.

Document and upload all documents used to make your determination below. Documentation should include a species list and explanation of your conclusion, and may require maps, photographs, and surveys as appropriate

May Affect, Not Likely to Adversely Affect: Any effects that the project may have on federally listed species or critical habitats would be beneficial, discountable, or insignificant.

Likely to Adversely Affect: The project may have negative effects on one or more listed species or critical habitat.

6. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation. This information will be automatically included in the Mitigation summary for the environmental review. If negative effects cannot be mitigated, cancel the project using the button at the bottom of this screen.

Mitigation as follows will be implemented:

- ✓ No mitigation is necessary.

Explain why mitigation will not be made here:

No habitat for *Coccyzus americanus* or *Lepidium papilliferum* occur on or near the project area. No riparian habitat occurs on the project, and no slickspot microsites occur on the project site. The project site has previously been developed.

Screen Summary
Compliance Determination

This project has been determined to have No Effect on listed species. This project is in compliance with the Endangered Species Act without mitigation.

Supporting documentation

[01062020_Species_List_Idaho_Fish_And_Wildlife_Office.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Explosive and Flammable Hazards

General requirements	Legislation	Regulation
HUD-assisted projects must meet Acceptable Separation Distance (ASD) requirements to protect them from explosive and flammable hazards.	N/A	24 CFR Part 51 Subpart C

1. Is the proposed HUD-assisted project a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals), i.e. bulk fuel storage facilities, refineries, etc.?

No

Yes

2. Does this project include any of the following activities: development, construction, rehabilitation that will increase residential densities, or conversion?

No

Yes

3. Within 1 mile of the project site, are there any current *or planned* stationary aboveground storage containers:

- Of more than 100 gallon capacity, containing common liquid industrial fuels OR
- Of any capacity, containing hazardous liquids or gases that are not common liquid industrial fuels?

No

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

Yes

Screen Summary

Compliance Determination

There are no known current or planned stationary aboveground storage containers of concern within 1 mile of the project site. The project is in compliance with explosive and flammable hazard requirements.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No

Farmlands Protection

General requirements	Legislation	Regulation
The Farmland Protection Policy Act (FPPA) discourages federal activities that would convert farmland to nonagricultural purposes.	Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.)	7 CFR Part 658

1. Does your project include any activities, including new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use?

Yes

No

If your project includes new construction, acquisition of undeveloped land or conversion, explain how you determined that agricultural land would not be converted:

The project site is in an Urbanized Area per Census Bureau Map and is located on an area that was previously developed as paved parking.

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

Screen Summary

Compliance Determination

This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.

Supporting documentation

[Urban Areas.jpg](#)

Are formal compliance steps or mitigation required?

Yes

No

Floodplain Management

General Requirements	Legislation	Regulation
Executive Order 11988, Floodplain Management, requires federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable.	Executive Order 11988	24 CFR 55

1. Do any of the following exemptions apply? Select the applicable citation? [only one selection possible]

55.12(c)(3)

55.12(c)(4)

55.12(c)(5)

55.12(c)(6)

55.12(c)(7)

55.12(c)(8)

55.12(c)(9)

55.12(c)(10)

55.12(c)(11)

None of the above

2. Upload a FEMA/FIRM map showing the site here:

[FIRMETTE_6c09262e-0bb0-11ea-9edb-0050569ce01d.pdf](#)
[FEMA floodzones.jpg](#)

The Federal Emergency Management Agency (FEMA) designates floodplains. The FEMA Map Service Center provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). For projects in areas not mapped by FEMA, use **the best available information** to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site.

Does your project occur in a floodplain?

No

Based on the response, the review is in compliance with this section.

Yes

Screen Summary

Compliance Determination

This project does not occur in a floodplain. The project is in compliance with Executive Order 11988.

Supporting documentation

[FIRMETTE_6c09262e-0bb0-11ea-9edb-0050569ce01d\(1\).pdf](#)

[FEMA floodzones\(1\).jpg](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Historic Preservation

General requirements	Legislation	Regulation
Regulations under Section 106 of the National Historic Preservation Act (NHPA) require a consultative process to identify historic properties, assess project impacts on them, and avoid, minimize, or mitigate adverse effects	Section 106 of the National Historic Preservation Act (16 U.S.C. 470f)	36 CFR 800 "Protection of Historic Properties" http://www.access.gpo.gov/nara/cfr/waisidx_10/36cfr800_10.html

Threshold

Is Section 106 review required for your project?

No, because the project consists solely of activities listed as exempt in a Programmatic Agreement (PA). (See the PA Database to find applicable PAs.)

No, because the project consists solely of activities included in a No Potential to Cause Effects memo or other determination [36 CFR 800.3(a)(1)].

- ✓ Yes, because the project includes activities with potential to cause effects (direct or indirect).

Step 1 – Initiate Consultation

Select all consulting parties below (check all that apply):

- ✓ State Historic Preservation Offer (SHPO) Completed

- ✓ Advisory Council on Historic Preservation In progress

- ✓ Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native Hawaiian Organizations (NHOs)

- ✓ Shoshone Bannock Response Period Elapsed

✓ Warm Springs Confederate
Trib

Response Period Elapsed

Other Consulting Parties

Describe the process of selecting consulting parties and initiating consultation here:

the City initiated consultation with SHPO

Document and upload all correspondence, notices and notes (including comments and objections received below).

Step 2 – Identify and Evaluate Historic Properties

- 1. Define the Area of Potential Effect (APE), either by entering the address(es) or uploading a map depicting the APE below:**

116 S 6th Street, Boise, 83702, parcel R1013000451

In the chart below, list historic properties identified and evaluated in the APE. Every historic property that may be affected by the project should be included in the chart.

Upload the documentation (survey forms, Register nominations, concurrence(s) and/or objection(s), notes, and photos) that justify your National Register Status determination below.

Address / Location / District	National Register Status	SHPO Concurrence	Sensitive Information
116 S. 6th Street, Boise	Identified	Yes	✓ Not Sensitive

Additional Notes:

No buildings on site. This site is formerly the location of the 1st Mayor of Boise's house, which was relocated in 1971. Artifacts may be present subsurface.

- 2. Was a survey of historic buildings and/or archeological sites done as part of the project?**

Yes

✓ No

Step 3 – Assess Effects of the Project on Historic Properties

Only properties that are listed on or eligible for the National Register of Historic Places receive further consideration under Section 106. Assess the effect(s) of the project by applying the Criteria of Adverse Effect. (36 CFR 800.5)] Consider direct and indirect effects as applicable as per guidance on direct and indirect effects.

Choose one of the findings below - No Historic Properties Affected, No Adverse Effect, or Adverse Effect; and seek concurrence from consulting parties.

No Historic Properties Affected

No Adverse Effect

Adverse Effect

**Document reason for finding; upload the criteria with summary and justification.
Criteria of Adverse Effect 36 CFR 800.5.**

The project will include physical disturbance to the site. Artifacts may be present at the site.

Step 4 – Resolve Adverse Effects

Work with consulting parties to try to avoid, minimize or mitigate adverse effects. Refer to ATEC guidance and 36 CFR 800.6 and 800.7.

Were the Adverse Effects resolved?

Yes

Describe the resolution of Adverse Effects, including consultation efforts and participation by the Advisory Council on Historic Preservation:

Idaho SHPO has requested that any artifacts that are uncovered be preserved. The City of Boise will collaborate with SHPO on a Memorandum of Agreement (MOA), which will detail how archaeological testing and/or data recovery of the homesite will be conducted.

**For
the**

project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

If any project personnel believes that a cultural resource has been uncovered at any point in the project, all work adjacent to the discovery must stop. The discovery location should be secured at all times. Artifacts discovered shall be preserved. If human remains are encountered, they shall be carefully covered with a tarp or other like material for temporary protection. If there is an archaeological monitor for the project, immediately notify that person. If there is a monitoring plan in place, the monitor will follow its provisions. The project manager and/or cultural resources manager shall be contacted immediately. If these managers cannot be reached, contact the cultural resource specialist for the project.

The project will comply with the MOU developed in concert with SHPO. Based on the response, the review is in compliance with this section. Document and upload the signed Memorandum of Agreement (MOA) or Standard Mitigation Measures Agreement (SMMA) below.

No

Screen Summary

Compliance Determination

Based on Section 106 consultation the project will have an Adverse Effect on historic properties. With mitigation, the project will be in compliance with Section 106. Satisfactory implementation of the mitigation should be monitored.

Supporting documentation

[MOA SHPO DRAFT FINAL.docx](#)

[SHPO letter 03092020.pdf](#)

[Historic Review Submittal.pdf](#)

Are formal compliance steps or mitigation required?

✓ Yes

No

Noise Abatement and Control

General requirements	Legislation	Regulation
HUD’s noise regulations protect residential properties from excessive noise exposure. HUD encourages mitigation as appropriate.	Noise Control Act of 1972 General Services Administration Federal Management Circular 75-2: “Compatible Land Uses at Federal Airfields”	Title 24 CFR 51 Subpart B

1. What activities does your project involve? Check all that apply:

- New construction for residential use

NOTE: HUD assistance to new construction projects is generally prohibited if they are located in an Unacceptable zone, and HUD discourages assistance for new construction projects in Normally Unacceptable zones. See 24 CFR 51.101(a)(3) for further details.

Rehabilitation of an existing residential property

A research demonstration project which does not result in new construction or reconstruction

An interstate land sales registration

Any timely emergency assistance under disaster assistance provision or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster

None of the above

4. Complete the Preliminary Screening to identify potential noise generators in the vicinity (1000’ from a major road, 3000’ from a railroad, or 15 miles from an airport).

Indicate the findings of the Preliminary Screening below:

There are no noise generators found within the threshold distances above.

- ✓ Noise generators were found within the threshold distances.

5. **Complete the Preliminary Screening to identify potential noise generators in the**

- ✓ Acceptable: (65 decibels or less; the ceiling may be shifted to 70 decibels in circumstances described in §24 CFR 51.105(a))

Indicate noise level here: 60

Based on the response, the review is in compliance with this section. Document and upload noise analysis, including noise level and data used to complete the analysis below.

Normally Unacceptable: (Above 65 decibels but not exceeding 75 decibels; the floor may be shifted to 70 decibels in circumstances described in §24 CFR 51.105(a))

Unacceptable: (Above 75 decibels)

HUD strongly encourages conversion of noise-exposed sites to land uses compatible with high noise levels.

Check here to affirm that you have considered converting this property to a non-residential use compatible with high noise levels.

Indicate noise level here: 60

Document and upload noise analysis, including noise level and data used to complete the analysis below.

Screen Summary

Compliance Determination

A Noise Assessment was conducted. The noise level was acceptable: 60.0 db. See noise analysis. The project is in compliance with HUD's Noise regulation.

Supporting documentation

[DNL Calculator - HUD Exchange.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Sole Source Aquifers

General requirements	Legislation	Regulation
The Safe Drinking Water Act of 1974 protects drinking water systems which are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health.	Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300f et seq., and 21 U.S.C. 349)	40 CFR Part 149

1. Does the project consist solely of acquisition, leasing, or rehabilitation of an existing building(s)?

Yes

✓ No

2. Is the project located on a sole source aquifer (SSA)?

A sole source aquifer is defined as an aquifer that supplies at least 50 percent of the drinking water consumed in the area overlying the aquifer. This includes streamflow source areas, which are upstream areas of losing streams that flow into the recharge area.

✓ No

Based on the response, the review is in compliance with this section. Document and upload documentation used to make your determination, such as a map of your project (or jurisdiction, if appropriate) in relation to the nearest SSA and its source area, below.

Yes

Screen Summary

Compliance Determination

The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements.

Supporting documentation

[SSA.jpg](#)

Are formal compliance steps or mitigation required?

Yes

No

Wetlands Protection

General requirements	Legislation	Regulation
Executive Order 11990 discourages direct or indirect support of new construction impacting wetlands wherever there is a practicable alternative. The Fish and Wildlife Service’s National Wetlands Inventory can be used as a primary screening tool, but observed or known wetlands not indicated on NWI maps must also be processed Off-site impacts that result in draining, impounding, or destroying wetlands must also be processed.	Executive Order 11990	24 CFR 55.20 can be used for general guidance regarding the 8 Step Process.

1. Does this project involve new construction as defined in Executive Order 11990, expansion of a building’s footprint, or ground disturbance? The term "new construction" shall include draining, dredging, channelizing, filling, diking, impounding, and related activities and any structures or facilities begun or authorized after the effective date of the Order

No

✓ Yes

2. Will the new construction or other ground disturbance impact an on- or off-site wetland? The term "wetlands" means those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds.

"Wetlands under E.O. 11990 include isolated and non-jurisdictional wetlands."

✓ No, a wetland will not be impacted in terms of E.O. 11990’s definition of new construction.

Based on the response, the review is in compliance with this section. Document and upload a map or any other relevant documentation below which explains your determination

Yes, there is a wetland that be impacted in terms of E.O. 11990’s definition of new construction.

Screen Summary

Compliance Determination

The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990.

Supporting documentation

[NWI and NHD.jpg](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Wild and Scenic Rivers Act

General requirements	Legislation	Regulation
The Wild and Scenic Rivers Act provides federal protection for certain free-flowing, wild, scenic and recreational rivers designated as components or potential components of the National Wild and Scenic Rivers System (NWSRS) from the effects of construction or development.	The Wild and Scenic Rivers Act (16 U.S.C. 1271-1287), particularly section 7(b) and (c) (16 U.S.C. 1278(b) and (c))	36 CFR Part 297

1. Is your project within proximity of a NWSRS river?

No

Yes, the project is in proximity of a Designated Wild and Scenic River or Study Wild and Scenic River.

Yes, the project is in proximity of a Nationwide Rivers Inventory (NRI) River.

Screen Summary

Compliance Determination

This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act.

Supporting documentation

[Wild Scenic Rivers.jpg](#)

Are formal compliance steps or mitigation required?

Yes

No

Environmental Justice

General requirements	Legislation	Regulation
Determine if the project creates adverse environmental impacts upon a low-income or minority community. If it does, engage the community in meaningful participation about mitigating the impacts or move the project.	Executive Order 12898	

HUD strongly encourages starting the Environmental Justice analysis only after all other laws and authorities, including Environmental Assessment factors if necessary, have been completed.

1. Were any adverse environmental impacts identified in any other compliance review portion of this project’s total environmental review?

Yes

No

2. Were these adverse environmental impacts disproportionately high for low-income and/or minority communities?

Yes

No

Explain:

The only potentially adverse impacts are to historic/cultural resources that are not high for low-income and/or minority communities.

Based on the response, the review is in compliance with this section. Document and upload any supporting documentation below.

Screen Summary

Compliance Determination

Adverse environmental impacts are not disproportionately high for low-income and/or minority communities. The project is in compliance with Executive Order 12898.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No